

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 8938 of 2006

08-09-2006

Between:-

K. Laxminarayana

Petitioner

And

The Deputy Superintendent of Police (CIU), anti
Corruption Bureau, Nampally, Hyderabad.

Respondent

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 8938 of 2006

Oral order:

The officials of the respondent, Anti Corruption Bureau, had seized certain documents and have frozen the bank accounts of the petitioner. The petitioner's premises was raided by the officials of the respondent on the basis of a complaint and among the seized articles and documents are the title deeds of his residential house. The seizure was pursuant to a search warrant issued by the Court of learned Principal Special Judge for SPE & ACB Cases, Hyderabad. A case in crime No.5/ACB-CIU/HYD/2004 was registered against the petitioner. The writ petition is filed seeking release of the documents pertaining to his residential house.

On behalf of the respondent a counter affidavit is

filed. It is admitted that the document sought by the petitioner is seized. It is however stated that the document is under the custody of the court of the learned Principal Special Judge for SPE & ACB Cases, Hyderabad, as case property. The respondent contends that the writ petition is misconceived and the appropriate remedy is for the petitioner to invoke the jurisdiction of the Special Court seeking appropriate relief for release of the document in his favour pending the criminal case.

In view of the fact that the document has been seized pursuant to a search warrant issued by the Special Court and the document constitutes case property and the custody of the property is with the Special Court, no relief could be granted in this writ petition. There are no merits in the writ petition. The petitioner is at liberty to pursue appropriate remedies in accordance with law.

Accordingly, the writ petition is dismissed. No costs.

GODA RAGHURAM, J

Dated:08-09-2006

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